

PERSONNEL MANUAL 2009

FOR THE EMPLOYEES OF THE CITY OF PERRY, OKLAHOMA

Jim Davis, City Manager

7.20.2009

Chapter VI

Section 9. ANTI-HARASSMENT

A. Purpose. The purpose of this section on Anti-Harassment is to clearly state the City of Perry's commitment to establishing a discrimination-free work environment and to provide for a procedure to investigate complaints of harassment and take appropriate action, if any. All city employees are expected to treat others with courtesy, consideration and professionalism. The City will not tolerate the harassment of any person by any City employee or any other employee, supervisor, independent contractor or customer.

B. Harassment. Harassment for any discriminatory reason, such as race, gender, national origin, disability, sexual orientation, age, religion or veteran status, is prohibited by state and federal laws, and this Article. Accordingly, racial, ethnic, religious, age, sexual orientation or sexual remarks, slurs, "jokes," written material or actions will not be tolerated in the workplace. This prohibition includes a prohibition against sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of a city employee's employment;

2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee;

3. The harassment has the purpose or effect of unreasonably interfering with the city employee's work performance or of creating an environment which is intimidating, hostile or offensive to the city employee;

Each individual must exercise his/her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of harassment include, but are not limited to, the following:

1. Verbal: Sexual innuendos, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;

2. Visual/Non-Verbal: Derogatory posters, cartoons, faxes, drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures;

3. Physical: Unwanted physical contact including touching, interference with the city employee's normal work movements or threatening gestures; and

4. Other: Making or threatening reprisals as a result of a negative response to a harassing action.

Any City employee who feels that he or she has been subjected to harassment or otherwise has been discriminated against due to race, color, religion, national origin, sex, sexual orientation, age, disability or veteran status or who witnesses harassment of, or discrimination against, another person, should promptly report the incident by either or both of the following reporting methods:

1. Orally or by complaint to the City Manager or his designee for discussion, investigation, review and appropriate action, if any. If referred to the City Manager or his designee, the City employee shall be satisfied with the action, if any, taken by the City Manager or his designee, or if not, shall prepare the complaint (if the complaint is not yet in writing) and report such complaint as provided in paragraph B hereinbelow.

2. By written complaint to the City Manager or the female employee with the highest pay grade in the City (at P. O. Box 798, Perry, Oklahoma, 73077). If the complaint involves the City Manager the complaint shall be presented to the Mayor or the female employee with the highest pay grade in the City. A complaint form is located in the Office of the City Clerk.

All complaints of harassment or discrimination will be investigated. In determining whether the alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be investigated. Except as deemed necessary to investigate and remedy violations, the City will keep the complaint and the information revealed in the investigation as confidential as possible.

All City employees are strongly encouraged to use the complaint procedures set forth above if they believe they have been subjected to discrimination or harassment. Before it becomes a serious problem and the conduct interferes with a City employee's work performance or creates a hostile environment, City employees are encouraged to notify the City of conduct that may violate this policy. That will allow the city time to address the situation.

The initiation of an oral or written complaint, in good faith, shall not be grounds for adverse action. It is a violation of the City's policy for a City employee to be disciplined or otherwise disadvantaged as a result of a good faith resort to this complaint procedure. However, deliberately reporting false allegations may be considered as a form of harassment and appropriate action will be taken.

If a City employee is determined to have violated this policy, the City will take appropriate action designed to prevent any further incidents of inappropriate behavior. If necessary, this could include disciplinary action of up to and including termination of a City employee or termination of an independent contractor's relationship with the City. In addition, supervisors may face disciplinary action if they fail to take corrective action after becoming aware of the existence of harassment or discrimination, regardless of whether the victim has filed a formal complaint

Anti-Harassment Complaint Form

To: City Manager or Highest Female Employee

Name of
Complainant: _____
Department: _____

Name and Position of Person allegedly violating City's policies, including any claims of discrimination and/or harassment: _____

Date and Place of
Occurrence: _____
Description of the event giving rise to the Complaint (Please use back and additional sheets as needed): _____

Name, address or position of any potential witness to the
event: _____

Date

Signature of Employee

Date Received

City of Perry Receiving the Complaint